



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

DENISE D. COLLINS, APN, RN
APN License # 26NJ 00298100
RN License # 26NO09233600

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Denise D. Collins ("Respondent") is an Advanced Practice Nurse (APN) and a Registered Professional Nurse (RN) in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. On or about April 25, 2014, the Board issued a letter asking Respondent, inter alia, to provide information concerning an arrest on April 5, 2014 on charges of shoplifting, and asking for documentation concerning continuing education courses completed during the last three years.

3. The letter of inquiry was sent to Respondent's address of record by certified and regular mail. The certified mail receipt was signed upon delivery. The regular mailing was not returned. The Board received no response.

4. Respondent indicated on her 2012 and 2014 renewal applications that she would have timely completed required continuing education by May 31, 2012 and May 31, 2014 respectively.

CONCLUSIONS OF LAW

Respondent's failure to respond to a Board inquiry constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2 - 1.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Respondent's failure to document completion of any nursing continuing education is interpreted as a failure to timely complete required nursing continuing education in violation of N.J.A.C. 13:37-5.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's indication on her 2012 and 2014 renewal applications that she would have timely completed all required continuing education by May 31, 2012 and May 31, 2014, respectively, is interpreted as engaging in misrepresentation in violation of N.J.S.A. 45:1-21(b).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand, and civil penalties in the aggregate amount of seven hundred and fifty dollars (\$750) was entered on August 15, 2014. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings

and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent initially replied, through her attorney, to the Provisional Order of Discipline by providing some of the information that the Board had requested. The attorney was advised that the Board would require a full and complete response. The attorney sent an additional reply which fully responded to the Board's inquiry. Respondent provided information indicating that the criminal matter was dismissed and that she timely completed all required continuing education within the two biennial renewal periods of June 1, 2010 – May 31, 2012 and June 1, 2012 – May 31, 2014.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary. The Board was not persuaded that the submitted materials merited further consideration. Inasmuch as Respondent provided the information originally requested and demonstrated timely completion of continuing education, the Board determined that the suspension, reprimand, and two hundred and fifty dollar (\$250) civil penalty were no longer warranted. However, the Board determined that Respondent's failure to respond to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent reply months later, warrants imposition of a five hundred dollar (\$500) civil penalty.

ACCORDINGLY, IT IS on this 22 day of January, 2015,

ORDERED that:

1. A civil penalty in the amount of five hundred dollars (\$500) is hereby imposed for the violation of N.J.A.C. 13:45C-1.2 - 1.3. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING



By:

Patricia Ann Murphy, PhD, APN
Board President